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*Attorneys for Defendant  
Textron Specialized Vehicles Inc.,  
formerly known as BB Buggies Inc.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

PLATYPUS WEAR, INC., dba BAD BOY  
BRANDS, a Nevada corporation

Plaintiff,

vs.

BB BUGGIES INC., a Delaware corporation,  
now known as TEXTRON SPECIALIZED  
VEHICLES INC.,

Defendant.

**CASE NO. 2:14-cv-00093-JCM-GWF**

**STIPULATION AND ORDER FOR DISCOVERY STAY  
AND TO EXTEND DISCOVERY DEADLINES  
(FIFTH REQUEST)**

Plaintiff PLATYPUS WEAR, INC., by and through its attorneys, LEWIS ROCA ROTHGERBER LLP and Karen B. King, Esq., and Defendant TEXTRON SPECIALIZED VEHICLES INC., by and through its attorneys, DICKINSON WRIGHT, PLLC, hereby stipulate and agree to the following:

1. Since the March 20, 2015, Stipulation and Order (Dkt. No. 45) was entered by the Court, the parties have made substantial progress with respect to their ongoing discussions and negotiations of a potential amicable resolution of this action.

1           2.       As anticipated in the March 20, 2015, Stipulation and Order (Dkt. No. 45), the  
2 parties met in San Francisco, California in April to participate in settlement negotiations. In  
3 addition, the parties have participated in a number of conference calls. As a result of these  
4 ongoing settlement discussions, the parties have circulated a draft settlement structure broadly  
5 outlining a potential structure for a settlement in this matter. Specifically, the resolution  
6 contemplates a royalty payment, an agreement regarding the ability to provide sponsorships to  
7 various sporting competitions, and how to structure worldwide trademarks. This potential  
8 resolution would allow the parties to amicably co-exist in the marketplace. As previously  
9 indicated, however, the issues involved in this case are complex, involving numerous  
10 trademarks that are used and licensed nationally and internationally, and a portion of the  
11 discussions towards resolution are confidential. At this time, the parties are continuing to  
12 negotiate the precise details of this settlement structure. However, the parties are optimistic that  
13 a settlement agreement can be reached within the next three months.

14           3.       Given the substantial progress that has been made and likelihood that a  
15 settlement will be reached soon, the parties wish to continue the discovery stay for an additional  
16 three months, until September 30, 2015, and extend the current discovery scheduling  
17 accordingly to ensure that they have adequate time to complete discovery in the event this  
18 matter is not amicably resolved.

19           4.       In order to accommodate continued settlement discussions, the parties stipulate  
20 and agree as follows:

21                   a.       The discovery stay shall be extended through and including September  
22 30, 2015; and

23                   b.       Pursuant to this stipulation, discovery shall be extended ninety (90) days,  
24 from Wednesday, December 2, 2015, to Tuesday, March 1, 2015. Pursuant to this stipulation,  
25 discovery shall proceed with the following deadlines:

26                           **Discovery Cut-Off Date** – March 1, 2016

27                           **Amending Pleadings and Adding Parties** – December 7, 2015

28                           **Initial Expert Reports** – January 4, 2016

**Interim Status Report** – January 4, 2016

**Rebuttal Expert Reports** – February 2, 2016

**Dispositive Motions** – April 4, 2016

**Joint Pretrial Order** – The Joint Pretrial Order shall be filed no later than May 3, 2016. In the event dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until thirty (30) days after decision of the dispositive motions or further order of the Court.

5. This stipulation is entered in good faith to allow the parties to continue negotiating a potential settlement and is not for the purpose of delay. In the event the Court wishes to hear from the parties, counsel would be happy to participate in a telephonic status conference to further discuss the status of settlement negotiations with the Court and answer any questions the Court may have.

DATED: June 29, 2015.

DATED: June 29, 2015

LEWIS ROCA ROTHGERBER LLP

DICKINSON WRIGHT, PLLC

/s/ Jonathan Fountain  
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*Attorneys for Defendant*  
*Textron Specialized Vehicles Inc.,*  
*formerly known as BB Buggies Inc.*

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**ORDER**

Pursuant to the foregoing Stipulation, IT IS SO ORDERED:

DATED this 30th day of June, 2015.

  
\_\_\_\_\_  
U.S. MAGISTRATE JUDGE

**CERTIFICATE OF SERVICE**

I certify that I am an employee of DICKINSON WRIGHT, PLLC, and that on this date, pursuant to FRCP 5(b), I am serving the attached **STIPULATION AND ORDER FOR DISCOVERY STAY AND TO EXTEND DISCOVERY DEADLINES (FIFTH REQUEST)** on the party set forth below by:

XXX	Placing an original or true copy thereof in a sealed envelope placed for collection and mailing in the United States Mail, Reno, Nevada, postage prepaid, following ordinary business practices
_____	Certified Mail, Return Receipt Requested
_____	Via Facsimile (Fax)
_____	Placing an original or true copy thereof in a sealed envelope and causing the same to be personally Hand Delivered
_____	Federal Express (or other overnight delivery)

addressed as follows:

Michael J. McCue  
Jonathan W. Fountain  
Lewis Roca Rothgerber  
3993 Howard Hughes Pkwy.  
Suite 600  
Las Vegas, NV 89169-5996

Karen B. King  
2411 Second Avenue  
San Diego, CA 92101

DATED this 29<sup>th</sup> day of June, 2015

/s/ Cindy S. Grinstead  
An Employee of DICKINSON WRIGHT, PLLC